

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

## ORDER OF COURT

After Plaintiff Norman F. Harvey filed an amended complaint in the above-captioned matter, Defendant William Shouppe filed a Motion to Dismiss. ECF No. 47. On June 11, 2018, Chief United States Magistrate Judge Maureen P. Kelly filed a Report and Recommendation for the granting of the Motion to Dismiss. ECF No. 53. The parties were given until June 28, 2018, to file written objections thereto. No Objections having been filed, and upon independent review of the record and consideration of the Magistrate Judge's Report and Recommendation, which is ADOPTED as the opinion of this Court, 

ADOPTED as the opinion of this Court

IT IS HEREBY ORDERED this 9 day of July, 2018, that the Motion to Dismiss, ECF No. 47, is GRANTED. The Clerk of Court shall mark this CASE CLOSED.

IT IS FURTHER ORDERED that, pursuant to Rule 4(a)(1) of the Federal Rules of Appellate Procedure, if any party wishes to appeal from this Order a notice of appeal, as provided in Fed. R. App. P. 3, must be filed with the Clerk of Court, United States District Court, at 700 Grant Street, Room 3110, Pittsburgh, PA 15219, within thirty (30) days.

Dr. Cuneo

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David Stewart Cercone  
Senior United States District Judge

cc: Honorable Maureen P. Kelly  
Chief United States Magistrate Judge

Norman F. Harvey  
A693054  
Trumbull Correctional Institution  
P. O. Box 901  
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Leavittsburg, OH 44430  
(*Via First Class Mail*)

Marie Milie Jones, Esquire  
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(*Via CM/ECF Electronic Mail*)